

Help For City of Alameda Renters During COVID-19

On March 17, 2020, the Alameda City Council declared a local emergency to protect the public's health and safety in response to the COVID-19 pandemic. That emergency declaration is still in effect as of November 2020, as is the State of California emergency declaration.

The City Council has taken these emergency actions to help renters during the pandemic:

- Added eviction protections for residential and commercial tenants
- Created rent relief programs for residential tenants and small businesses
- Stopped rent increases in rent-controlled units through the end of 2020
- Funded legal services for low-income tenants

For more information, please contact Sarah Henry, City of Alameda Public Information Officer, by phone at 510-747-4714 or by email at shenry@alamedaca.gov.

Frequently Asked Questions & Answers

Are there any City programs to help me pay rent?

The City Council approved an initial round of financial assistance in the amount of \$683,116 on June 2, 2020 and then established the Alameda Strong Relief Fund to provide additional help to residential and commercial tenants who are behind on rent. For more information, please visit www.alamedastrong.org. Residential tenants can also contact 510-722-2557 or send an email to alamedacares@bffc.org.

What if I can't pay my rent now, how am I protected?

Residential tenants who have had "financial distress" due to COVID-19 may get temporary relief from being evicted for not paying rent, and they can delay paying some of their rent. Here's how it works:

Rents for March 2020 – August 2020: All overdue rent for these months can be converted to "consumer debt," meaning you still owe it, but you can't be evicted for non-payment. To do this, you need to give your landlord a "financial distress" declaration within 15 days after you get a notice to pay rent. The City recommends tenants give this notice whenever they can't pay the full rent, even if they haven't received a pay-or-quit notice. (Download the declaration at <https://bit.ly/32W0XRp>.)

Rents for September 2020 – January 2021: 75% of these months' total rent can be converted to "consumer debt" (see above), but you must pay at least the remaining 25% of that total by January 31, 2021. Also, you must give your landlord a financial distress declaration (Download the declaration at <https://bit.ly/32W0XRp>) every time you get a notice to pay rent.

Note that regardless of the dates, tenants still owe all unpaid rent, for which the landlord may get a court judgment. The above protections just mean that tenants can't be evicted for non-payment of rent owed through January 31, 2021.

What is “financial distress” for residential tenants?

This means loss of income or increased expenses due to COVID-19. Examples include increased health costs, added childcare or caring for a family member, or less work hours.

When do I have to pay all the back rent I owe?

The City’s rent protections will expire on March 31, 2022. So, all back rent must be paid by then.

When do regular rent payments resume?

Tenants need to resume their regular rent payments in February 2021.

Is there rent protection for commercial tenants?

Yes. If a commercial tenant is unable to pay rent due to a “substantial loss of income,” they have a defense if the landlord tries to evict them. “Substantial loss of income” means either (1) a reduction of 20% or more of monthly gross income compared to last year; or (2) extra emergency-related expenses such as paying employees to remain off work, or reduction in business to comply with government orders to close, provide physical distancing, or shelter in place. The City’s commercial tenant protections remain in place until March 2021, when they are set to expire, unless the State extends the date.

What are residential landlords required to do if they want to collect overdue rent?

Landlords must deliver to the tenant a required “Notice of Rights” before serving any pay-or-quit notice for rents due between March 2020 and January 2021. Rents for this period are subject to the eviction protections described above.

Can the landlord increase my rent?

The City Council has frozen rent levels through the end of the year, for all units covered by rent control (generally, all multi-family units built before February 1995). Starting in January 2021, the Annual General Adjustment for rent-controlled units will be limited to 1%. This freeze doesn’t apply to non-controlled units such as single-family homes, condominiums, and units built after February 1995.

Can I be evicted for “no fault,” such as an owner move-in?

No. The City Council has prohibited no-fault evictions until 30 days after the local emergency expires.

Can the landlord shut off my utilities?

The City Council has barred landlords from shutting off utilities, except in case of an emergency or as part of an “essential activity” under the shelter-in-place order; and then, only for the shortest time necessary. This protection remains in place until 30 days after the declared state of emergency is over.

I still have questions about the City’s laws for renters during COVID-19. Who can I talk to?

Please contact Elizabeth Martinez at the Alameda City Attorney’s Office by phone at 510-747-4772 or by email at emartinez@alamedacityattorney.org.